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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 33

Application Number	10/726,771
Filing Date	December 2, 2003
First Named Inventor	Duresi et al.
Art Unit	2877
Examiner Name	Tu T. Nguyen
Attorney Docket Number	18525.04069

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> - Return Receipt Postcard - Statement as to the Substance of an April 25, 2006 Interview - Statement as to the Substance of a June 9, 2006 Interview - Check for \$225		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	24024		
Signature			
Printed name	Alan C. Brandt		
Date	30 June 2006	Reg. No.	50,218

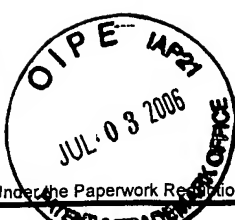
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Signature			
Typed or printed name	Wendy A. FRICK	Date	6-30-06

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PTO/SB/17 (01-06)

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 225

**Complete if Known**

Application Number	10/726,771
Filing Date	December 2, 2003
First Named Inventor	Durresi et al.
Examiner Name	Tu T. Nguyen
Art Unit	2877
Attorney Docket No.	18525.04069

**METHOD OF PAYMENT** (check all that apply)☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 03-0172 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
20	- 20 or HP = 0	x	=

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
3	- 3 or HP = 0	x	=

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition for Extension of Time (2 mo) 225**SUBMITTED BY**

Signature	<u>Alan C. Brandt</u>	Registration No. (Attorney/Agent) 50,218	Telephone (216) 622-8658
Name (Print/Type)	Alan C. Brandt		Date <u>30 June 2006</u>

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Wendy A. Frick  
Name of Person Signing (Type or Print)

Signed: Wendy A. Frick

Customer Number

24024

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Durresi et al.	)	Examiner:	Tu T. Nguyen
Serial No.:	10/726,771	)	Group Art Unit:	2877
Filed:	December 2, 2003	)	Confirmation No.:	4198
For:	<b>METHOD AND APPARATUS</b>	)	Attorney Docket No.:	18525.04069
	<b>FOR MONITORING THE</b>	)		
	<b>QUALITY OF OPTICAL LINKS</b>	)		

Mail Stop Amendment  
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**STATEMENT AS TO THE SUBSTANCE OF AN APRIL 25, 2006 INTERVIEW**

Ladies and Gentlemen:

Please accept the following as the applicants' statement as to the substance of an interview conducted regarding the above-identified patent application.

(A) Application number: 10/726,771

(B) Name of applicant: Durresi, et al.

(C) Name of Examiner: Tu T. Nguyen

(D) Date of Interview: 25 April 2006

(E) Type of interview (personal, telephonic, electronic mail, or video conference): Telephonic

(F) Name of participants (applicant, applicant's representative, PTO personnel):

(1) Alan C. Brandt, Reg. No. 50,218

(2) Tu T. Nguyen, Primary Examiner

(G) Exhibit shown or demonstration conducted: Yes

If yes, brief description: Proposed Amendment C, a proposed response to the currently pending Office Action mailed January 30, 2006.

(H) Claim(s) discussed: Claims 1 and 8.

(I) Identification of references discussed: U.S. Patent No. 5,767,956 to Yoshida, Figure 1 of originally-filed patent application.

(J) Agreement reached with respect to the claims: No.

(K) Summary of interview, including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Various aspects regarding Figures 1 and 2 and admissions as to prior art represented in such figures were discussed. The applicants' representative explained that the optical correlator hardware of Figure 1 was prior art, but that the functionality indicated by the output signal 135 was not prior art. A proposed replacement Figure 1 and new Figure 5 were discussed. The Examiner explained that he had interpreted the paragraph identifying Figure 2 to mean that Figure 2 depicted

examples of signals associated with Figure 1. The Examiner suggested that this paragraph be reworded to clarify that Figure 2 does not show examples of signals associated with Figure 1.

The addition of a new paragraph to the specification which was copied from U.S. Provisional Patent Application Serial No. 60/430,207 was discussed. The applicant's representative explained that the provisional application was incorporated by reference in the originally-filed specification and the new paragraph did not add new matter.

The applicant's representative provided an explanation of the invention in laymen's terms in order to distinguish the invention from Yoshida. Various aspects of claims 1 and 8 from proposed Amendment C were discussed. The Examiner suggested that further changes to claim 1 may clarify the difference between the "known signal" and "received signal" identified in proposed Amendment C. Additionally, the Examiner suggested that alternate language be used to identify the "reference signal." The Examiner also suggested that further changes may clarify "transmitting and receiving ... over the optical link" with more specificity.

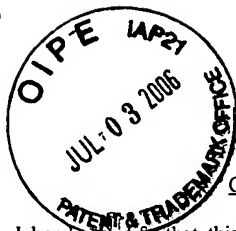
The Examiner suggested that a second proposed Amendment C with further amendments to the claims in view of the April 25 telephone interview could be prepared and that another telephone interview could be scheduled to discuss the revised claims. The applicants' representative concurred with this course of action.

Respectfully submitted,

Date: 30 June 2006



Alan C. Brandt, Reg. No. 50,218  
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(216) 241-0816 facsimile



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Wendy A. Frick  
Name of Person Signing (Type or Print)

Signed: Wendy A. Frick

Customer Number

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Durresi et al.	)	Examiner:	Tu T. Nguyen
Serial No.:	10/726,771	)	Group Art Unit:	2877
Filed:	December 2, 2003	)	Confirmation No.:	4198
For:	<b>METHOD AND APPARATUS</b>	)	Attorney Docket No.:	18525.04069
	<b>FOR MONITORING THE</b>	)		
	<b>QUALITY OF OPTICAL LINKS</b>	)		

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**STATEMENT AS TO THE SUBSTANCE OF A JUNE 9, 2006 INTERVIEW**

Ladies and Gentlemen:

Please accept the following as the applicants' statement as to the substance of an interview conducted regarding the above-identified patent application.

(A) Application number: 10/726,771

Statement as to the Substance of a June 9, 2006 Interview  
Ser. No.: 10/726,771

(B) Name of applicant: Durrezi, et al.

(C) Name of Examiner: Tu T. Nguyen

(D) Date of Interview: 9 June 2006

(E) Type of interview (personal, telephonic, electronic mail, or video conference): Telephonic

(F) Name of participants (applicant, applicant's representative, PTO personnel):

(1) Alan C. Brandt, Reg. No. 50,218

(2) Tu T. Nguyen, Primary Examiner

(G) Exhibit shown or demonstration conducted: Yes

If yes, brief description: Second Proposed Amendment C, a proposed response to the currently pending Office Action mailed January 30, 2006.

(H) Claim(s) discussed: Claims 1, 14, and 19.

(I) Identification of references discussed: U.S. Patent No. 5,767,956 to Yoshida, Figure 1 of originally-filed patent application.

(J) Agreement reached with respect to the claims: Yes.

(K) Summary of interview, including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

The Examiner indicated that the amended claims presented in the Second Proposed Amendment C were ready for submission in an official response to the currently-pending Office Action. The Examiner requested that the Remarks in the official response: i) show where the "reference signal" is described in the specification, ii) explain that the reference signal is not provided from the known signal using a beam splitter, and iii) state that any new paragraphs added to the specification are not considered new matter. The applicants' representative concurred with this course of action.

Respectfully submitted,

Date: 30 June 2006



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